

RESOLUTION NO. 2005-425

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CHULA VISTA APPROVING THE CITY'S
COMPREHENSIVE GENERAL PLAN UPDATE LAND USE
MAP, AND LAND USE AND TRANSPORTATION
ELEMENT PROVISIONS FOR THE DOWNTOWN THIRD
AVENUE DISTRICT (SECTION 9.5.1)

WHEREAS, the City of Chula Vista's current General Plan was last comprehensively updated in July 1989, with a partial update conducted in conjunction with adoption of the Otay Ranch project in 1993; and

WHEREAS, pursuant to State law, the City has undertaken a periodic, comprehensive review to update its General Plan looking out to the year 2030; and

WHEREAS, the current Housing Element of the General Plan is subject to 5-year periodic updates under separate provisions of State law, and is therefore not affected by this comprehensive General Plan Update, and will remain in its current form until its next update under applicable State law; and

WHEREAS, the comprehensive General Plan Update project (GPU) was initiated with a public Town Hall Meeting in April 2002; and

WHEREAS, the City and its consultants worked over the next three years in the conduct of an extensive, four-phased public outreach and input process to gather information needed to prepare the GPU, and to share with and receive feedback from the public on various interim work products, and the proposed draft GPU; and

WHEREAS, that public outreach and input process involved five other Town Hall meetings, and four ad-hoc committees with over 50 citizen members holding over 70 meetings, that included a Steering Committee, Economic Development Subcommittee, Public Facilities & Services Subcommittee, and Environment, Open Space & Sustainable Development Subcommittee; and

WHEREAS, as part of this three-year process, staff and the consultants also met with the Planning Commission and/or City Council on 19 occasions to provide updates and present interim work products, and to receive preliminary input and direction regarding policy issues and the land use and transportation scenarios to be evaluated; and

WHEREAS, the areas of land which are the subject of this Resolution contain all lands within the boundaries of the General Plan Update's Downtown Third Ave. District as diagrammatically depicted on the General Plan Land Use Diagram presented as Figure 5-12, and also depicted on Figure 5-27, of the proposed Land Use and Transportation Element; and

WHEREAS, in December 2004, the City originally released the proposed GPU for public review; and

WHEREAS, the City has referred the proposed GPU to all necessary entities required by the State Planning and Zoning Law, Government Code section 65000 et seq.; and

WHEREAS, pursuant to California Government Code section 65302.5, the City transmitted the Draft GPU and supporting technical documents to the Office of the State Geologist in the Department of Conservation, State Geological Survey (the current name of the Division of Mines and Geology)(Division) on January 18, 2005, for review and comment. The submittal also included an explanation of how various parts of the Draft GPU addressed safety element and related requirements. The Division provided informal verbal comments to staff by phone on January 25, 2005, that characterized the GPU as having excellent policies and as one of the better documents reviewed. No written comments were received; and

WHEREAS, pursuant to the requirements of California Public Utilities Code Sections 21670 – 21679.5, the City submitted the GPU to the San Diego County Regional Airport Authority (Authority) for a determination of consistency with the Brown Field Airport Land Use Compatibility Plan (ALUCP). As documented in a May 5, 2005, letter from the Authority to the City, the Authority determined that the proposed GPU is consistent with the current ALUCP; and

WHEREAS, as a result of the substantial public comments received during the review of the GPU, the City determined in March 2005, that it would pause the GPU process to consider the comments and entertain revisions to the Plan in response; and

WHEREAS, in September 2005, the City released a revised set of GPU documents and a re-circulated Draft EIR for a second public review; and

WHEREAS, pursuant to California Government Code section 65090, the Planning Commission held a duly noticed public hearing on the GPU on December 8, 2005, and recommended that the City Council adopt the Resolutions approving the GPU and its related actions; and

WHEREAS, the proceedings and all evidence introduced before the Planning Commission at the public hearing on this project held on December 8, 2005, and the minutes and resolution resulting there from, are hereby incorporated into the record of these proceedings; and

WHEREAS, the City Clerk set the time and place for the hearing on the GPU and notices of said hearings, together with its purposes given by its publication in a newspaper of general circulation in the City, at least ten days prior to the hearing and, pursuant to California Government Code section 65090, the City Council held a duly noticed public hearing on December 13, 2005 (and December 20, 2005 if needed), on the subject GPU; and

WHEREAS, the City Council of the City of Chula Vista reviewed, analyzed, considered, approved and certified a Final EIR, made certain Findings of Fact, adopted a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program for the GPU,

pursuant to CEQA, by Resolution No. 2005-423.

NOW, THEREFORE BE IT RESOLVED that the City Council hereby finds, determines and resolves as follows:

I. PLANNING COMMISSION RECORD

The proceedings and all evidence introduced before the Planning Commission at their public hearing held on December 8, 2005, and the minutes and resolutions resulting there from, are hereby incorporated into the record of this proceeding.

II. GENERAL PLAN INTERNAL CONSISTENCY

The City Council hereby finds and determines that the General Plan, as amended, is internally consistent and shall remain internally consistent following the adoption of amendments by this Resolution.

III. CONFORMANCE WITH STATE PLANNING AND ZONING LAW

The City Council hereby finds that the General Plan Update, as approved in this Resolution, complies with applicable requirements of the State Planning and Zoning Law. In particular, the GPU's proposed Element structure includes the content requirements for all seven mandatory elements pursuant to Government Code section 65302 as shown below:

<u>Mandated Element</u>	<u>Chula Vista GPU Element</u>
Land Use	Land Use & Transportation
Circulation	Land Use & Transportation
Housing	Housing
Conservation	Environmental
Open Space	Environmental
Noise	Environmental
Safety	Environmental

IV. ADOPTION OF GENERAL PLAN UPDATE CONTENT FOR DOWNTOWN THIRD AVENUE DISTRICT

The City Council of the City of Chula Vista General Plan hereby approves and adopts the General Plan Update for the Downtown Third Avenue District which consists of the following documents included in the record of proceedings, and on file in the City Clerk's Office:


1. Those portions of the September 2005 re-released Draft General Plan and General Plan Diagram (referenced as Document 1 of 2), pertaining to the Downtown Third Avenue District (GPU Section 9.5.1);

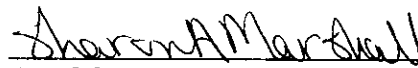
2. Those portions of the September 2005 Draft General Plan Proposed Edits (referenced as Document 2 of 2), pertaining to the Downtown Third Avenue District (GPU Section 9.5.1);

BE IT FURTHER RESOLVED that the existing General Plan, with the exception of the Housing Element and the land use designations and applicable policies and provisions specifically related to Villages 8, 9, and 10, are superceded and repealed upon the effective date of the General Plan Update.

Presented by

Approved as to form by


James D. Sandoval
Planning and Building Director

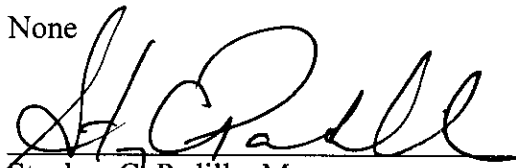

Ann Moore
City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 13th day of December, 2005, by the following vote:

AYES: Councilmembers: Castaneda, McCann, Rindone, and Padilla

NAYS: Councilmembers: None

ABSENT: Councilmembers: None


Stephen C. Padilla, Mayor

ATTEST:


Susan Bigelow, MMC, City Clerk

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO)
CITY OF CHULA VISTA)

I, Susan Bigelow, City Clerk of Chula Vista, California, do hereby certify that the foregoing Resolution No. 2005-425 was duly passed, approved, and adopted by the City Council at a regular meeting of the Chula Vista City Council held on the 13th day of December 2005.

Executed this 13th day of December 2005.


Susan Bigelow, MMC, City Clerk